

**National Telecommunications and Information Administration
Broadband Technology Opportunities Program**

BTOP NOFA Table of Contents

(Round 2, released January 15, 2010)

The following is the round 2 table of contents from the NTIA's BTOP *Notice of Funds Availability* (NOFA). It includes all of the bolded headings and is more detailed than the table provided on p. 3-4 of the NOFA. This document is intended to assist the applicant community to better understand the content framework of the NOFA but it is obviously not an official document and any errors or omissions are mine. Feel free to distribute this to other interested parties. Robert Bocher, Wisconsin Department of Public Instruction, Madison, WI (608-266-2127, robert.bocher@dpi.wi.gov).

BTOP Table of Contents

I. Overview: Describes the broadband initiatives in the Recovery Act, the first round of funding, and an overview of the next round of funding. (p. 4)

- A. American Recovery and Reinvestment Act of 2009 (Recovery Act) (p. 4)
- B. Round One (p. 5)
- C. Round Two (p. 7)
 - 1. Funding Process (p. 7)
 - 2. Request for Information (RFI) (p. 7)
 - 3. Project Categories (p. 8)
 - 4. Changes from the First NOFA (p. 8)

II. Funding Opportunity Description: Provides a more thorough description of BTOP and the funding priorities. (p. 10)

- A. Statutory Purposes (p. 10)
- B. BTOP Priorities (p. 11)
 - 1. Comprehensive Community Infrastructure Projects (p. 12)
 - a. Background (p. 12)
 - b. CCI Funding Priorities (p. 12)
 - c. "Comprehensive Communities" Policy Rationale (p. 15)
 - d. Relationship to BIP (p. 16)
 - e. Exclusive Last Mile Projects (p. 17)
 - 2. Public Computer Centers (PCC) (p. 17)
 - 3. Sustainable Broadband Adoption (SBA) (p. 17)
- C. Application Review and the Selection Process (p. 18)
 - 1. Initial Review (p. 18)
 - 2. Scoring Applications (p. 18)
 - 3. State and Tribal Consultation (p. 19)
 - 4. Due Diligence Review (p. 20)
 - 5. The Selection Process (p. 21)

III. Definitions: Sets forth the key statutory terms and other terms used in BTOP. (p. 23)

IV. Award Information: Describes funding availability, grant terms, as applicable, and other award information. (p. 28)

- A. General (p. 28)
- B. Funding Limits (p. 29)
- C. Repooling (p. 29)
- D. Unused Funds (p. 29)
- E. Award Amount (p. 29)
- F. Award Period (p. 30)
- G. Type of Funding Instrument (p. 30)

V. Eligibility Information and General Program Requirements: Establishes eligibility criteria, eligible and ineligible costs, and general program requirements. (p. 30)

- A. Eligible Entities (p. 30)
 - 1. Applicant Organization (p. 30)
 - 2. BTOP Public Interest Finding (p. 31)
- B. Fully Completed Application (p. 32)
- C. Cost Share/Matching (p. 32)
 - 1. Matching Requirement (p. 32)
 - 2. Petition for Waiver (p. 33)
- D. General Program Requirements (p. 34)
 - 1. Timely Completion (p. 34)
 - 2. Demonstration that Project Could not be Implemented “But For” Federal Grant Assistance (p. 34)
 - 3. Additional Requirements Applicable to Comprehensive Community Infrastructure Applicants (p. 35)
 - a. Broadband Service (p. 35)
 - b. Nondiscrimination and Interconnection (p. 35)
 - c. Last Mile Coverage Obligation (p. 37)
 - i. Service Obligation (p. 37)
 - ii. Petition for Waiver (p. 37)
 - d. Announcement of Proposed Funded Service Areas (p. 38)
- E. Funding Restrictions - Eligible and Ineligible Costs (p. 40)
 - 1. General (p. 40)
 - a. Direct Costs of a BTOP Project (p. 41)
 - b. Indirect Costs of a BTOP Project (p. 41)
 - 2. Eligible and Ineligible Costs for BTOP Comprehensive Community Infrastructure Projects (p. 42)
 - a. Eligible Costs for Comprehensive Community Infrastructure Projects (p. 42)
 - b. Ineligible Costs for Comprehensive Community Infrastructure Projects (p. 42)
 - 3. Eligible and Ineligible Costs for Public Computer Center Projects (p. 43)
 - a. Eligible Costs for Public Computer Center Projects (p. 43)
 - b. Ineligible Costs for Public Computer Center Projects (p. 45)

- 4. Eligible and Ineligible Costs for Sustainable Broadband Adoption Projects (p. 45)
 - a. Eligible Costs for Sustainable Broadband Adoption Projects (p. 45)
 - b. Ineligible Costs for Sustainable Broadband Adoption Projects (p. 46)
- F. Use of Program Income (p. 46)

VI. Application and Submission Information: Provides information regarding how to apply, application materials, and the application process. (p. 47)

- A. Request for Application Package (p. 47)
- B. Registration (p. 48)
 - 1. Central Contractor Registration (CCR) (p. 48)
 - 2. DUNS Number (p. 48)
- C. Choosing the Proper Agency and Category for an Application (p. 48)
 - 1. Broadband Infrastructure (p. 48)
 - a. Choosing BIP or BTOP (p. 48)
 - b. Transferability (p. 49)
 - c. Comprehensive Community Infrastructure (p. 49)
 - 2. Public Computer Centers (p. 50)
 - 3. Sustainable Broadband Adoption (p. 50)
- D. Contents of the Application (p. 51)
 - 1. Comprehensive Community Infrastructure Applications (p. 51)
 - 2. Public Computer Centers Applications (p. 53)
 - 3. Sustainable Broadband Adoption Applications (p. 54)
 - 4. Supplementary Information Requests for Due Diligence (p. 55)
- E. Filing Instructions (p. 55)
- F. Submission Dates and Times (p. 56)
- G. Authorization (p. 56)
- H. Material Representations (p. 56)
- I. Material Revisions (p. 56)

VII. Application Review Information: Establishes the evaluation criteria for application review. (p. 56)

- A. Evaluation Criteria (p. 56)
 - 1. Comprehensive Community Infrastructure (p. 57)
 - a. Project Purpose (20 points) (p. 57)
 - b. Project Benefits (20 points) (p. 58)
 - c. Project Viability (30 points) (p. 61)
 - d. Project Budget and Sustainability (30 points) (p. 62)
 - 2. BTOP Public Computer Center Projects (p. 63)
 - a. Project Purpose (20 points) (p. 63)
 - b. Project Benefits (20 points) (p. 64)
 - c. Project Viability (30 points) (p. 65)
 - d. Project Budget and Sustainability (30 points) (p. 66)
 - 3. BTOP Sustainable Broadband Adoption Projects (p. 66)
 - a. Project Purpose (20 points) (p. 66)
 - b. Project Benefits (20 points) (p. 68)
 - c. Project Viability (30 points) (p. 69)
 - d. Project Budget and Sustainability (30 points) (p. 69)

VIII. Anticipated Announcement and Award Dates: Identifies the initial announcement date for certain awards and provides other information regarding BTOP. (p. 70)

IX. Award Administration Information: Provides award notice information, administrative and national policy requirements, terms and conditions, and other reporting requirements for award recipients. (p. 70)

- A. Award Notices (p. 70)
- B. Administrative Requirements (p. 71)
- C. Award Terms and Conditions (p. 71)
 - 1. Scope (p. 71)
 - 2. Sale or Lease of Project Assets (p. 71)
 - a. Restriction on Assets (p. 71)
 - b. Petition for Waiver (p. 72)
 - 3. Access to Records for Audits, Site Visits, Monitoring, and Law Enforcement Purposes (p. 72)
 - 4. Broadband Data Collection (p. 73)
 - 5. Certifications (p. 73)
- D. Reporting Requirements (p. 75)
 - 1. General Recovery Act Requirements (p. 75)
 - 2. BTOP-Specific Reporting Requirements (p. 75)
 - a. All BTOP Award Recipients (p. 75)
 - b. Comprehensive Community Infrastructure Award Recipients (p. 76)
 - c. Public Computer Center Award Recipients (p. 77)
 - d. Sustainable Broadband Adoption Award Recipients (p. 77)
 - 3. Reporting Deadlines (p. 78)

X. Other Information: Sets forth guidance on funding, compliance with various laws, confidentiality, discretionary awards, and authorized signatures. (p. 79)

- A. Funding Rounds (p. 79)
- B. Discretionary Awards (p. 79)
- C. Third Party Beneficiaries (p. 79)
- D. Limitation on Expenditures (p. 79)
- E. Recovery Act Logo (p. 79)
- F. Environmental and National Historic Preservation Requirements (p. 80)
- G. Davis-Bacon Wage Requirements (p. 81)
- H. Financial and Audit Requirements (p. 81)
- I. Deobligation (p. 82)
- J. Confidentiality of Applicant Information (p. 82)
- K. Policy on Sectarian Activities (p. 82)
- L. Disposition of Unsuccessful Applications (p. 83)
- M. State Certifications (p. 83)
- N. Waiver Authority (p. 83)
- O. Compliance with Applicable Laws (p. 84)
- P. Communications Laws (p. 84)
- Q. Buy American Notice (p. 85)
 - 1. General Prohibition and Waiver (p. 85)
 - 2. OMB Buy American Notice Requirement (p. 85)
- R. Executive Order 12866 (p. 87)
- S. Executive Order 13132 (p. 88)

- T. Administrative Procedure Act Statement (p. 88)
- U. Congressional Review Act (p. 89)
- V. Paperwork Reduction Act (p. 90)
 - 1. Reporting and Registration Requirement under Section 1512(c) of the Recovery Act (p. 90)
 - 2. NTIA's Additional Paperwork Reduction Act Analysis (p. 91)
- W. Recovery Act (p. 93)
- X. Authorized Signatories (p. 93)

**Appendix to Notice of Funds Availability – Broadband Technology Opportunities Program:
Policy Justification (p. 94)**

- Streamlining the Application (p. 94)
- Relationship Between BIP and BTOP (p. 97)
- Transparency and Confidentiality (p. 100)
- Funding Priorities and Comprehensive Communities (p. 102)
- Program Definitions – “Unserved” and “Underserved” (p. 107)
- Announcement of Applicants’ Proposed Funded Service Areas (p. 109)
- Interconnection and Nondiscrimination Requirements (p. 111)
- Sale of Project Assets (p. 114)